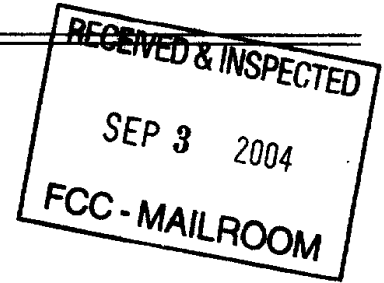




**Alvarado I.S.D. Technology**



August 20, 2004

Federal Communications Commission  
Office of the Secretary  
445-12<sup>th</sup> Street, SW  
Washington, DC 20554

Subject: Request for Waiver

To Whom It May Concern:

This letter is to formally appeal the Form 486 Notification Letter dated June 2, 2004

**Appeal Information:**

Kyle Berger  
P.O. Box 387  
Alvarado, TX 76009  
[kberger@alvarado.isd.tenet.edu](mailto:kberger@alvarado.isd.tenet.edu)

471 Application Number 371204  
FRN(s): 1013373, 1013418, and 1013491  
Funding Year: 2003-2004  
Entity Number: 140389  
CC Docket No. 02-6

I am writing this letter to formally appeal the school and libraries decision to change the service start date for telecom and Internet services for the Alvarado Independent School District. The change in the service start date was based upon the Alvarado ISD allegedly missing the 120 day deadline for filing Form 486 block four.

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## **Alvarado I.S.D. Technology**

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An authorized representative of Alvarado ISD did in fact submit the Form 486 online on November 06, 2003. However, due to a problem with the PIN number, SLA had to be notified. Our authorized representative talked with SLA and they suggested applying for a new PIN number. This action prolonged filing for one week. On Nov. 06, 2003 the 486 was completed online using the new PIN. This being the SLA's first year to allow online filing of the 486, it was the representative's belief that the form was completed.

At this time other situations were faced by our school district, particularly our technology department. On Nov. 11, 2003 I, Kyle Berger, became Director of Technology for the Alvarado School District. There were many changes made to our department including the reassignment of our district E-Rate representative which brought E-Rate to the technology department under my supervision. On Nov. 19, 2003, five working days after my arrival to the district, a six year employee of the technology department suffered a massive heart attack in our building and we were not able to resuscitate him. The week following the funeral, our district was on Thanksgiving break for one week. Losing an employee and having to hire a replacement took most of our attention for the following weeks away from the E-Rate decision letter.

Alvarado ISD was informed of the lack of a completed Form 486 filing upon receipt of a phone call from one our Vendors. Unfortunately, we did not receive this call until May 19, 2004. Immediately the SLA was called and they did in fact see that the form was filed on Nov. 06, 2003 and was waiting the Block four Certification and Signature page.

Our Alvarado ISD authorized representative immediately went online May 19, 2004 to resubmit the certification and signature document using an assigned pin number. Confirmation was received from the School and Libraries Division on May 19, 2004.

We received our Form 486 notification Letter on June 2, 2004 noting the changes in service start date. This change in our start date dramatically affects our districts funding.

We respectfully request based upon the above information that the Form 486 notification letter be reissued with a start date of July 10, 2003. July 10, 2003 is 120 days prior to the original submission online of November 6, 2003.

This issue has caused significant budget issues for Alvarado ISD.

Call me at 817-783-6800 if you have any questions regarding this appeal.

Kyle Berger  
Director of Technology  
Alvarado ISD